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Jeff Beno

LIE:
Pls. Enter this Amendment
Submitted after mailing NOA.
PATENT
Atty. Docket No. 35512-34
Response to Rule 312 Communication
Enclosed.
— Examiner Garg
3/7/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEPHEN A. KLEIN, ET AL.

Application No.: 09/615,025

Filed: July 13, 2000

For: IDENTIFYING INDUSTRY SECTORS
USING STATISTICAL CLUSTERIZATION

Allowed: October 21, 2004

Group Art Unit: 3625

Examiner: Garg, Yogesh C.

**REQUEST TO CORRECT EXAMINER'S AMENDMENT AND
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request correction of the Examiner's amendment of claims 24 and 25 in the above-identified application, as follows, so as to fully reflect the changes agreed upon between the Examiner and Applicant's attorney.

3. Check in the amount of \$700.00 to cover the Issue Fee.

It is not believed that any additional fees are due in connection with the filing of this paper. However, if there are any additional fees due, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 13-3735. A duplicate copy of this page is attached for that purpose.

Respectfully submitted,

MITCHELL, SILBERBERG & KNUPP LLP

Dated: December 21, 2004

By



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24. (Currently Amended) An apparatus for classifying assets into business sectors, said apparatus comprising:

(a) means for calculating, for each of plural exogenous variables, a measure of a tendency for a value of an asset to change as a result of a change in a data value for said each exogenous variable;

(b) means for repeating the calculating performed by means (a) for each of plural different assets;

(c) means for grouping said plural different assets into plural different sectors based on similarities of said measures of tendency to change across said plural exogenous variables;

(d) means for assessing at least one of: (I) how statistics for at least one of the groups formed ~~in step~~ by said means (c) vary over time; and (II) how one asset in a group formed ~~in step~~ by said means (c) compares to other assets in the same group; and

(e) means for purchasing, selling or recommending the purchase or sale of an asset based on the assessment made ~~in step~~ by said means (d).

25. (Currently Amended) A computer-readable medium storing computer-executable process steps for classifying assets into business sectors, said process steps comprising steps to:

(a) calculate, for each of plural exogenous variables, a measure of a tendency for a value of an asset to change as a result of a change in a data value for said each exogenous variable;

(b) repeat step (a) for each of plural different assets;

(c) group said plural different assets into plural different sectors based on similarities of said measures of tendency to change across said plural exogenous variables;

(d) assessing at least one of: (I) how statistics for at least one of the groups formed in step (c) vary over time; and (II) how one asset in a group formed in step (c) compares to other assets in the same group; and

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(e) purchasing, selling or recommending the purchase or sale of an asset based on the assessment made in step (d).

In addition, the following comments respond to the Examiner's statement of reasons for allowance.

Applicants believe that each claim in the application has been allowed because the combination of features recited in that claim is not disclosed or suggested by the prior art, i.e., that each claim was in fact fully evaluated and then allowed on its own merits. In the Examiner's statement of reasons for allowance, certain features of the allowed claims are emphasized as not being shown by the prior art. However, it is believed that the particular features emphasized in the Examiner's statement of reasons for allowance are just generally representative of the present claims.

For example, while the Examiner notes the "criticality and novelty" of certain features of the present invention, such remarks are believed to refer simply to the novelty of the present claims over the applied art that had been cited by the Examiner. Once again, it is believed that the Examiner understands the overall combination of features recited in the present claims to be novel and nonobvious over the prior art. When compared to some other subset of the prior art, other features of the present invention might distinguish it from such prior art.

Applicants respectfully request written notification if Applicants' understanding as set forth above is incorrect in any respect whatsoever.